

WDREF

**U.S. Bankruptcy Court
District of Oregon (Portland)
Adversary Proceeding #: 16-03073-dwh**

Assigned to: David W Hercher
Lead BK Case: 14-31295
Lead BK Title: Nicholas Lee Watt and Patricia Moudy Watt
Lead BK Chapter: 13
Demand: \$125000
Nature[s] of Suit: 91 Declaratory judgment
14 Recovery of money/property –
other

Date Filed: 06/30/16

Plaintiff

Meritage Homeowners' Association

represented by **BRITTA E WARREN**
Black Helterline LLP
805 S.W. Broadway
Suite 1900
Portland, OR 97205
(503) 224-5560
Fax : (503) 224-6148
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LEAD ATTORNEY

V.

Defendant

Nicholas Lee Watt
19452 Orchard Grove
Oregon City, OR 97045
SSN / ITIN: xxx-xx-2951

represented by **MICHAEL D O'BRIEN**
Michael D. O'Brien & Associates, P.C.
12909 SW 68th Parkway, Suite 160
Portland, OR 97223
(503) 786-3800
Email: enc@pdxlegal.com

Defendant

Patricia Moudy Watt
19452 Orchard Grove
Oregon City, OR 97045
SSN / ITIN: xxx-xx-2878

represented by **MICHAEL D O'BRIEN**
(See above for address)

Counter-Claimant

Nicholas Lee Watt
19452 Orchard Grove
Oregon City, OR 97045

represented by **MICHAEL D O'BRIEN**
(See above for address)

Counter-Claimant

Patricia Moudy Watt
 19452 Orchard Grove
 Oregon City, OR 97045

represented by **MICHAEL D O'BRIEN**
 (See above for address)

V.

Counter-Defendant

Meritage Homeowners' Association

Filing Date	#	Docket Text
06/30/2016	<u>1</u>	Adversary case 16-03073. Complaint by Meritage Homeowners' Association against Nicholas Lee Watt, Patricia Moudy Watt. \$350 Filing Fee Paid. Nature of Suit:(91 (Declaratory judgment)),(14 (Recovery of money/property - other))(WARREN, BRITTA) (Entered: 06/30/2016)
06/30/2016	<u>2</u>	Corporate Ownership Statement Filed By Plaintiff Meritage Homeowners' Association (WARREN, BRITTA) (Entered: 06/30/2016)
06/30/2016	3	Receipt of Filing Fee for Complaint(<u>16-03073-rld</u>) [cmp,cmp] (350.00). Receipt Number A14431886. (re:Doc# <u>1</u>) (U.S. Treasury) (Entered: 06/30/2016)
06/30/2016	<u>4</u>	Summons Issued for service on Nicholas Lee Watt Date Issued 6/30/2016, Answer Due 8/1/2016; Patricia Moudy Watt Date Issued 6/30/2016, Answer Due 8/1/2016 <u>1</u> Complaint Pre-Trial Hearing Set for 08/22/2016 at 10:00 AM in/by Telephone Hearing. (jed) (Entered: 06/30/2016)
08/01/2016	<u>5</u>	Answer to Complaint, Counterclaim by Nicholas Lee Watt, Patricia Moudy Watt against Meritage Homeowners' Association Filed by Nicholas Lee Watt, Patricia Moudy Watt (O'BRIEN, MICHAEL) (Entered: 08/01/2016)
08/22/2016	<u>6</u>	Summons Served on Nicholas Lee Watt 7/5/2016; Patricia Moudy Watt 7/5/2016 (WARREN, BRITTA) (Entered: 08/22/2016)
08/22/2016	<u>7</u>	Reply. Filed by Plaintiff Meritage Homeowners' Association Re: <u>5</u> Answer to Complaint, Counterclaim by Nicholas Lee Watt, Patricia Moudy Watt against Meritage Homeowners' Association Filed by Nicholas Lee Watt, Patricia Moudy Watt (O'BRIEN, MICHAEL) (WARREN, BRITTA) (Entered: 08/22/2016)
08/22/2016	<u>8</u>	Hearing Held (dda) (Entered: 08/23/2016)
08/23/2016	<u>9</u>	Order Re: Application of FRCP 26 (bls) (Entered: 08/23/2016)
08/25/2016	<u>10</u>	Certificate of Notice Re: <u>9</u> Order Re: Application of FRCP 26 (bls). (Admin.) (Entered: 08/25/2016)
09/02/2016	<u>11</u>	Report and Recommendation Re: <u>1</u> Adversary case 16-03073. Complaint by Meritage Homeowners' Association against Nicholas Lee Watt, Patricia

			Moudy Watt. Objections due by 9/19/2016. (pjk) (Entered: 09/02/2016)
09/04/2016		<u>12</u>	Certificate of Notice Re: <u>11</u> Report and Recommendation Re: <u>1</u> Adversary case 16-03073. Complaint by Meritage Homeowners' Association against Nicholas Lee Watt, Patricia Moudy Watt. Objections due by 9/19/2016. (pjk). (Admin.) (Entered: 09/04/2016)
10/05/2016		13	Notice of Transfer to District Court Re: <u>1</u> Complaint, <u>11</u> Report and Recommendation (jed) (Entered: 10/05/2016)
12/30/2016		<u>14</u>	Motion For Partial Summary Judgment and Supporting Document(s). Filed by Plaintiff Meritage Homeowners' Association (WARREN, BRITTA) (Entered: 12/30/2016)
12/30/2016		<u>15</u>	Declaration of Kurt Freitag Re: <u>14</u> Motion for Summary Judgment Filed By Plaintiff Meritage Homeowners' Association (WARREN, BRITTA) (Entered: 12/30/2016)
12/30/2016		<u>16</u>	Concise Statement of Material Facts Re: Re: <u>14</u> Motion for Summary Judgment Filed By Plaintiff Meritage Homeowners' Association (WARREN, BRITTA) (Entered: 12/30/2016)
01/04/2017		<u>17</u>	First Amended Motion For Partial Summary Judgment Filed by Plaintiff Meritage Homeowners' Association (WARREN, BRITTA) (Entered: 01/04/2017)
01/04/2017		<u>18</u>	First Amended Concise Statement of Material Facts Re: <u>17</u> Motion for Summary Judgment Filed By Plaintiff Meritage Homeowners' Association (WARREN, BRITTA) Modified on 1/10/2017 (pjk). Corrected docket text: Changed "Fifth Amended" to "First Amended" Concise Statement of Material Facts. (Entered: 01/04/2017)
01/04/2017		<u>19</u>	Memorandum In Support of Re: <u>17</u> Motion for Summary Judgment Filed By Plaintiff Meritage Homeowners' Association (WARREN, BRITTA) (Entered: 01/04/2017)
01/20/2017		<u>20</u>	Copy of Opinion and Order signed by USDC re Case No 16-mc-00519-HZ Document No.2 Re: <u>1</u> Adversary case 16-03073. Complaint by Meritage Homeowners' Association against Nicholas Lee Watt, Patricia Moudy Watt. \$350 Filing Fee Paid. Nature of Suit:(91 (Declaratory judgment)),(14 (Recovery of money/property – other)) (pjk) (Entered: 01/20/2017)
01/22/2017		<u>21</u>	Certificate of Notice Re: <u>20</u> Copy of Opinion and Order signed by USDC re Case No 16-mc-00519-HZ Document No.2 Re: <u>1</u> Adversary case 16-03073. Complaint by Meritage Homeowners' Association against Nicholas Lee Watt, Patricia Moudy Watt. \$350 Filing Fee Paid. Nature of Suit:(91 (Declaratory judgment)),(14 (Recovery of money/property – other)) (pjk). (Admin.) (Entered: 01/22/2017)
01/25/2017		<u>22</u>	Response Filed by Nicholas Lee Watt, Patricia Moudy Watt Re: <u>17</u> First Amended Motion For Partial Summary Judgment Filed by Plaintiff Meritage Homeowners' Association (WARREN, BRITTA) (Attachments: # <u>1</u> Declaration of Nicholas Watt # <u>2</u> Exhibits) (O'BRIEN, MICHAEL) (Entered: 01/25/2017)
02/08/2017		<u>23</u>	Reply. Filed by Plaintiff Meritage Homeowners' Association Re: <u>22</u> Response Filed by Nicholas Lee Watt, Patricia Moudy Watt Re: <u>17</u> First

			Amended Motion For Partial Summary Judgment Filed by Plaintiff Meritage Homeowners' Association (WARREN, BRITTA) (Attachments: # 1 Declaration of Nicholas Watt # 2 Exhibits) (O'BRIEN, MICHAEL) (WARREN, BRITTA) (Entered: 02/08/2017)
02/08/2017		<u>24</u>	Supplemental Declaration of Kurt Freitag Re: <u>23</u> Reply Filed By Plaintiff Meritage Homeowners' Association (Attachments: # <u>1</u> Exhibit Ex. 2 – Settlement Agreement # <u>2</u> Exhibit Ex. 3 – Addendum to Settlement Agreement # <u>3</u> Exhibit Ex. 4 – Judge Cramer's Memo & Opinion # <u>4</u> Exhibit Ex. 5 – CC&Rs # <u>5</u> Exhibit Ex 6 – Resolution) (WARREN, BRITTA) (Entered: 02/08/2017)
02/09/2017		<u>25</u>	Copy of Order signed by USDC re Case No 16–mc–00519–HZ Document No.3 Re: <u>11</u> Report and Recommendation Re: <u>1</u> Adversary case 16–03073. Complaint by Meritage Homeowners' Association against Nicholas Lee Watt, Patricia Moudy Watt. Objections due by 9/19/2016. (pjk) (Entered: 02/09/2017)